

REMARKS

Claims 27-30 are pending in this application. Claim 66 is new. In the Office Action, claims 27-30 were rejected under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6,422,397 to Lynn in view of U.S. Patent No. 6,566,046 to Lin et al. For the reasons set forth below, Applicants respectfully submit that the pending claims would not have been obvious in view of the cited art.

Claims 27-30 Would Not Have Been Obvious Over Patent No. 6,422,397 to Lynn in view of U.S. Patent No. 6,566,046 to Lin et al.

First, Applicants turn to the rejection of claims 27-30 under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6,422,397 to Lynn in view of U.S. Patent No. 6,566,046 to Lin et al. Applicants respectfully submit that independent claim 27 and the respective dependent claims would not have been obvious in view of the cited references.

Specifically, claim 27, as amended recites, among other things, a manual closed blood collection system comprising a primary container sized and configured to hold a unit of whole blood drawn from an individual donor for centrifugal separation, a platelet unit container downstream of the primary container and sized and configured to hold a platelet concentrate and a first volume of plasma centrifugally separated from the unit of whole blood, a plasma unit container sized and configured to hold a second volume of plasma centrifugally separated from the unit of whole blood, and an auxiliary container downstream of the platelet container.

Claim 27 further requires an in-line filter adapted to remove leukocytes from separated platelets, a filter by-pass branch extending around the filter, a one-way valve provided in the by-pass branch and wherein the filter and one-way valve are located between the platelet container and the auxiliary container and allow for direct flow between the platelet and auxiliary containers.

In contrast, the system of amended claim 27 is neither shown nor suggested in the Lynn patent. Specifically, Lynn does not teach or suggest a system including an in-line filter adapted to remove leukocytes from separated platelets, nor does Lynn teach or suggest a filter and a one-way valve located between a platelet container and an auxiliary container and allowing for direct flow between the two containers. Instead, Lynn is directed generally to the leuko-reduction of red blood cells. For example, as seen in Figure 9 of Lynn, the one-way valve and filter are located between the whole blood container that communicates with the donor needle and container 18. Lynn teaches that container 18 is for the collection and storage of red blood cells. See col. 3, lines 34-40. Because the Lynn system is used for leuko-reducing red cells, Lynn specifically teaches that the particular location of the leukocyte filter is between the primary container 12 and red blood cell container 18. Amended claim 27, on the other hand, recites the one-way valve and filter as being located further downstream relative to the location of the other containers in the system to provide for the removal of leukocytes from separated platelets. Accordingly, amended claim 27 and the respective dependent claims would not have been obvious in view of the system described in the Lynn patent.

The Examiner also suggests that it would have been obvious to select the additive solution as taught by Lin for use in the system of Lynn. However, Applicants submit that, for at least the reasons that amended claim 27 and the respective dependent claims would not have been obvious over the Lynn patent, the pending claims are also not obvious in view of Lynn in combination with the Lin patent.

New Claim 66

Finally, Applicants have added new dependent claim 66 to the listing of claims. New claim 66 is directed to the collection system of claim 27 and further recites the relative location of the in-line filter and one-way valve, the individual flow path segments and the connectors in the system. As recited in claim 66 (and as seen, for example, in Figure 3), the filter and one-way valve are in flow communication with and located between the third connector and the auxiliary container. In contrast, the filter and one-way valve in Lynn (as shown, for example, in Figure 9) are located between a second connector and a third connector, but not between a third connector and an auxiliary container. Support for dependent claim 66 can be found in the specification of the present application¹ and also in Figure 3. Accordingly, Applicants submit that the subject matter of dependent claim 66 is not new matter.

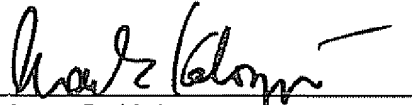
Conclusion

For the reasons described above, Applicants respectfully submit that claims 27-30 and new claim 66 are novel and would not have been obvious in view of the

¹ See, for example, page 5 lines 20-26; page 6 lines 1-5; page 11 lines 15-17, page 18 lines 19-27.

cited art. Applicants respectfully request that the claims be reconsidered and allowed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew G. Kolomayets', written over a horizontal line.

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